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PATENT 38

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

BARRY S. CARPENTER et al.

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Filed:

July 24, 2001

For:

PACKAGED OPTICAL MICRO-MECHANICAL

DEVICE

Docket No.

56352USA3A

Commissioner for Patents Washington, D.C. 20231

I CERTIFY THAT, ON DECEMBER 5, 2001, THIS PAPER IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

INFORMATION DISCLOSURE STATEMENT

In compliance with the duty imposed by 37 C.F.R. 1.56, and in accordance with C.F.R. sections 1.97 *et. seq.*, the materials enclosed herewith are brought to the attention of the Examiner as possibly being of interest in connection with the above-identified patent application. Consideration of each of the documents listed on the attached 1449 form(s) is respectfully requested. The filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is construed to be, prior art to the present application. Pursuant to the provisions of M.P.E.P. 609, Applicants further request that a copy of the 1449 form(s), marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

No fee is deemed necessary for the entry of this Information Disclosure Statement. Should any fee be required, the Commissioner is authorized to charge our Deposit Account No. 06-0029 and notify us of the same.

Respectfully Submitted,

Dated: December 5, 2001

BARRY S. CARPENTER et al.

By:

Karl G. Schwappach #35,786

FAEGRE & BENSON LLP

2200 Wells Fargo Center

90 South Seventh Street

Minneapolis, MN 55402-3901

612/766-7773